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AND RELATED FEDERAL AND ITC LITIGATION



ATTN: APPLICATION BRANCH

**THIS IS A RESPONSE TO A
NOTICE TO FILE MISSING
PARTS OF AN APPLICATION**

ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

Re: Inventor: MASAJI ISHIGURO, ET AL

Serial No: 08/722,144

Filed: DECEMBER 12, 1996

CPA Filed: JULY 9, 1999

For: PENEM DERIVATIVES AND ANTIMICROBIAL AGENT CONTAINING THE
SAME

SIR:

Attached hereto for filing are the following papers:

Copy of PTO-2016
Request for Extension of Time (5 months)
Information Disclosure Statement
PTO-1449
Four (4) references

Our check in the amount of \$3576.00 is attached covering any required fees. In the event that any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 CFR 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 CFR 1.136 for the necessary extension of time. A duplicate of this sheet is enclosed.

Respectfully Submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

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Registration No. 24,618

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Docket No. 2292-0038-0 PCT



22850

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Reg. Ref. 09/12/2000 YPO-ITE1-0013174200
DBH-150030 - Name/Number 08722144
EC: 704 - \$968.00 - CR

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THAN VIRGINIA
* JAPANESE PATENT ATTORNEY
* REGISTERED PATENT AGENT



DATE MAILED:

NOTICE TO FILE MISSING PARTS OF APPLICATION (CPA)
Filing Date Granted

The Continued Prosecution Application (CPA) request filed on 7/9/99 is entitled to a filing date under 37 CFR 1.53(d)(1). The CPA request, however, lacks the filing fee(s) and/or items indicated below.

Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file the fee(s), item(s), and any surcharge required below to avoid abandonment of this CPA. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

The total amount owed by applicant is the sum of items 1(a) or (b), 2, and 3 (if checked) below.

- ☒ 1. The statutory basic filing fee is:
☒ missing.
☐ insufficient.

(a) Applicant must submit \$ 760.00 to complete the basic filing fee and the \$130.00 surcharge set forth in 37 CFR 1.16(e) (non-small entity), or \$ _____ to complete the basic filing fee as a small entity and the \$65.00 surcharge set forth in 37 CFR 1.16(e) and file a small entity statement under 37 CFR 1.27 claiming such status (if the prior application was entitled to small entity status and such status is still proper and desired, a new small entity statement is not required (37 CFR 1.28)).

(b) Applicant must submit \$ _____ to complete the basic filing fee as a small entity and the \$65.00 surcharge set forth in 37 CFR 1.16(e).

- ☐ 2. Additional claim fees of
\$ _____ (non-small entity) or \$ _____ (small entity) for _____ independent claims over 3.
\$ _____ (non-small entity) or \$ _____ (small entity) for _____ claims over 20.
\$ _____ (non-small entity) or \$ _____ (small entity) for multiple dependent claim surcharge.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

- ☐ 3. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).
☐ 4. The CPA request is unsigned. Applicant must file a signed duplicate or ratification of the CPA request.
☐ 5. Other: _____

A copy of this Notice MUST be returned with the reply.

Direct the reply and any questions about this Notice to:

Andrea X. Sale

Examining Group 2900

(703) 305-3244

FORM PTO 2016 (Rev. 12/97)

PART 1 - ATTORNEY/APPLICANT COPY

09/12/2000 YPOLITE1 00000085 08722144

01 FC:199

966.00 OP

Rep'n: Ref: 09/12/2000 YPOLITE1 0013374200
Date: 150030 Name/Number: 08722144
FC: 704 \$660.00-CR

09/12/2000 YPOLITE1 00000076 08722144

760.00 OP

01 FC:131